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REC'D TO  
REGULATORY AUTH.

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July 9, 2002

OFFICE OF THE  
EXECUTIVE SECRETARY

The Honorable Sara Kyle, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243

Re: BellSouth Telecommunications, Inc's Entry Into Long Distance (InterLATA)  
Service in Tennessee Pursuant to Section 271 of the Telecommunications of 1996.

97-00309

Dear Chairman Kyle:

Enclosed please find the original and thirteen copies of a Petition to Intervene filed on behalf of Birch Telecom of the South Inc. in the above-captioned proceeding. A \$25.00 check is enclosed for the filing fee. Please contact me with any questions.

Very truly yours,

Henry Walker  
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HW/cw

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7/9/2002

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POSTED  
7/10/02

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**July 9, 2002**

In re: ) )  
BellSouth Telecommunications, Inc.'s ) ) *Docket No. 97-00309*  
Entry Into Long Distance (InterLATA))Service ) )  
in Tennessee Pursuant to Section 271 of the ) )  
Telecommunications Act of 1996

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**PETITION TO INTERVENE**

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Birch Telecom of the South Inc. ("Birch") petitions the Tennessee Regulatory Authority ("TRA") to intervene as a matter of right in the above-captioned proceeding pursuant to T.C.A. § 4-5-310(b).

The above-captioned docket concerns the Authority's approval of BellSouth Telecommunications, Inc. ("BellSouth") entry into the long distance business in Tennessee. In order to receive this approval, BellSouth must demonstrate to the Authority compliance with Section 271(c)(1)(A) and 271(c)(2) of the Telecommunications Act of 1996. Birch is certified by the Tennessee Regulatory Authority ("TRA") to offer intrastate telecommunications services in Tennessee. Birch therefore, has an interest in BellSouth's compliance with the provisions of Section 271 of the Act. The legal rights, duties, privileges, immunities, or other legal interests of Birch may be affected or determined by the outcome of this proceeding.

Furthermore, granting this petition will not impair the orderly and prompt conduct of this proceeding, and Birch does not request any changes in the procedural schedule already established in this case. Birch therefore requests that this Petition to Intervene be granted.

Respectfully submitted,

By: \_\_\_\_\_

*Henry Warden*  
(CW)

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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the parties of record, via hand-delivery, overnight delivery or U.S. Mail, postage prepaid, addressed as follows on this 9th day of July, 2002:

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